

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5112
www.energy.ca.gov



**NOTICE OF DETERMINATION
PETITION TO MODIFY THE ENERGY COMMISSION DECISION
FOR THE RUSSELL CITY ENERGY CENTER
(01-AFC-7C)**

California Energy Commission

**DOCKETED
01-AFC-7C**

TN # 66159

JUL 09 2012

A petition has been filed with the California Energy Commission by Russell City Energy Center LLC. The 600 megawatt (MW) natural gas-fired, combined-cycle electric generating facility is located in the City of Hayward in Alameda County. This project was certified in September 2002 and received an amended approval in October 2007. A petition to extend the commencement of construction deadline by one year, from September 10, 2007 to September 10, 2008, was approved on August 29, 2007 and a petition to extend commencement of construction deadline by two years, from September 10, 2008 to September 10, 2010, was approved on July 30, 2008. Construction was started on September 1, 2010 and is 45% complete.

DESCRIPTION OF PROPOSED MODIFICATIONS

By this amendment, Russell City Energy Center, LLC is proposing to use an additional area for construction parking and laydown. This area, known as the Winton Parking/Laydown Area, is located approximately 1 mile north of the plant site, at 2885 West Winton Avenue. The Winton Parking/Laydown Area consists of six vacant parcels, totaling 15 acres. Previously the project owner has petitioned and received approval to add four new additional parcels for construction parking/laydown areas. The petition to add a new parking/laydown area can be reviewed at:

http://www.energy.ca.gov/sitingcases/russellcity_amendment/amendment_two/2012-06-11_Petition_to_Amend_3_parking-laydown.pdf

ENERGY COMMISSION STAFF REVIEW AND DETERMINATION

Pursuant to section 1769(a)(2), Title 20, California Code of Regulations, "(w)here staff determines that there is no possibility that the modifications may have a significant effect on the environment, and if the modifications will not result in a change or deletion of a condition adopted by the commission in the final decision or make changes that would cause the project not to comply with any applicable laws, ordinances, regulations, or standards, no commission approval is required ..."

Energy Commission staff has determined that approval by the full Commission is not required and the proposed modifications meet the criteria for approval at the staff level because:

- The modification will not have any significant effect on the environment;
- Existing conditions of certification are sufficient to cover the proposed modification without changes to, or deletions of, any conditions of certification; and
- The project as modified will maintain full compliance with applicable LORS.

Any person may file a written objection to staff's determination within 14 days of the date of this notice on the grounds that the project modification does not meet the criteria set forth in Section 1769(a)(2). All objections must be in writing and must be sent either by U.S. mail,

e-mail, or other document delivery service to Bruce Boyer, Compliance Project Manager, at the address shown below:

California Energy Commission
1516 9th Street, MS 2000
Sacramento, CA 95814

Comments may be submitted by fax to (916) 654-3882 or by e-mail at **bboyer@energy.state.ca.us**. If no substantive objection is received in writing, the requested project modifications will be deemed approved.

For further information on how to participate in this proceeding, please contact the Energy Commission Public Adviser's Office, at (916) 654-4489, or toll free in California at (800) 822-6228, or by e-mail at publicadviser@energy.state.ca.us. News media inquiries should be directed to the Energy Commission Media Office at (916) 654-4989, or by e-mail at mediaoffice@energy.state.ca.us.

If you have questions about this notice, please contact Bruce Boyer at (916) 653-7181 or by fax or e-mail using the above information.

Date: _____

CHRISTOPHER J. MARXEN

Manager, Compliance Office
Siting, Transmission & Environmental Protection
Division

Mail List # 7078